

**COMBINED DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY**

Page 1 of 2
PD- Y01-067

- Original
- Continuation
- Division
- Continuation-in-part
- Supplemental
- PCT
- Design

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Method and Apparatus for Identifying the Selection and Exclusion of Elements of Complex Sets

the specification of which

(check one) is attached hereto
 was filed on as
Application Serial No. and (a) [other than supplemental] was amended
on or (b) [supplemental] with amendments through

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

Yes No

Number _____ Country _____ Day/Month/Year filed _____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/249,061

Application Serial No.

November 15, 2000

Filing Date

pending

Status
(patented, pending, abandoned)

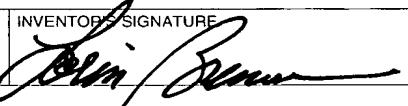
I hereby appoint the following attorneys, or agent and attorneys, to prosecute the application and to transact all business in the Patent and Trademark Office in connected therewith:

Kenneth W. Float, Registration No. 29,233

Address all telephone calls to Kenneth W. Float at (949) 459-5519.

Address all correspondence to the Law Offices of K. W. Float, Box 80790, Rancho Santa Margarita, CA 92688-0790.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST JOINT INVENTOR Glenn A. Barber		INVENTOR'S SIGNATURE 	DATE 10/25/2001
RESIDENCE 18791 Via San Marco		Irvine CA 92612	CITIZENSHIP U.S.A.
POST OFFICE ADDRESS 18791 Via San Marco, Irvine, CA 92612			
FULL NAME OF JOINT INVENTOR Corin E. Brennan		INVENTOR'S SIGNATURE 	DATE 10/25/01
RESIDENCE 209 Crystal Avenue		Balboa Island CA 92662	CITIZENSHIP U.S.A.
POST OFFICE ADDRESS 209 Crystal Avenue, Balboa Island, CA 92662			
FULL NAME OF JOINT INVENTOR 		INVENTOR'S SIGNATURE	DATE
RESIDENCE 		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF JOINT INVENTOR 		INVENTOR'S SIGNATURE	DATE
RESIDENCE 		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF JOINT INVENTOR 		INVENTOR'S SIGNATURE	DATE
RESIDENCE 		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF JOINT INVENTOR 		INVENTOR'S SIGNATURE	DATE
RESIDENCE 		CITIZENSHIP	
POST OFFICE ADDRESS			

Applicant or Patentee: Glenn A. Barber et al.

Serial No.: Filed:

Patent No.: Issued:

For: Method and Apparatus for Identifying the Selection and Exclusion of Elements of Complex Sets

Attorney's Docket No. : Y01-067

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled Method and Apparatus for Identifying the Selection and Exclusion of Elements of Complex Sets

described in

() the specification filed herewith
() application Serial No. , filed
() patent no. , issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

() no such person, concern, or organization
() persons, concerns, or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME Gray Matter, LLC

ADDRESS 180 Newport Center Drive, Newport Beach, CA 92660

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

FULL NAME

ADDRESS

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

FULL NAME

ADDRESS

() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent to which this verified statement is directed.

Glenn A. Barber

Lorin E. Brennan

NAME OF INVENTOR



Signature of Inventor

NAME OF INVENTOR



Signature of Inventor

NAME OF INVENTOR

Signature of Inventor

10/25/2001

10/25/01

Date

Applicant or Patentee: Glenn A. Barber et al.

Attorney's Docket No. : Y01-067

Serial No: Filed:

Patent No: Issued:

For: Method and Apparatus for Identifying the Selection and Exclusion of Elements of Complex Sets

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27(b)) - SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Gray Matter, LLC

ADDRESS OF CONCERN: 180 Newport Center Drive, Newport Beach, CA 92660

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled Method and Apparatus for Identifying the Selection and Exclusion of Elements of Complex Sets

by inventor(s) Glenn A. Barber et al., described in

the specification filed herewith
 application serial no. , filed
 patent no. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME

ADDRESS

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME

ADDRESS

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME

ADDRESS

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Lorin E. Brennan

TITLE OF PERSON OTHER THAN OWNER Executive Manager

ADDRESS OF PERSON SIGNING

SIGNATURE



DATE

10/25/01